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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,467	08/11/2005	Yingjian Liu	58260-011300	8948
32361 7590 08/22/2008 GREENBERG TRAUIG, LLP MET LIFE BUILDING 200 PARK AVENUE NEW YORK, NY 10166			EXAMINER SIM, YONG H	
			ART UNIT 2629	PAPER NUMBER
			NOTIFICATION DATE 08/22/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/506,467

Applicant(s)

LIU ET AL.

Examiner

YONG SIM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/23/2008 has been entered.

At the outset, the Applicants are thanked for the thorough review and consideration of the Office Action dated 11/29/2007.

Response to Arguments

2. Applicant's arguments filed 5/23/2008 have been fully considered but they are not persuasive.

With respect to the Applicant's argument regarding claim 1, the Applicant argues that "neither Oda nor Lee et al. teach that "the frequency of the resonant signal is an integer multiple of the frequency of the transmitted electromagnetic waves and that the transmission of the electromagnetic waves and the receiving of the resonant signal occur simultaneously.

However, Examiner respectfully disagrees since Lee shows that the resonant signal is an "integer" (emphasis added) multiple of the frequency of the transmitted electromagnetic waves and that the transmission of the electromagnetic waves and the receiving of the resonant signal occur simultaneously. The Applicants admit that Lee teaches the frequency of the transmitted electromagnetic waves are "equal" (emphasis added) to the frequency of the resonant signal. If the frequency of the transmitted waves and the resonant signals are equal then they are multiple of 1 of each other. 1 is an integer, therefore they are the frequency of the resonant signal is an integer multiple, which is 1, of the frequency of the transmitted electromagnetic waves.

Further, Lee shows in Fig. 3 that the receiving waves (Output signal of the position indicator) and transmission waves of the apparatus occur simultaneously.

Therefore, the argument is moot.

Examiner respectfully advises the Applicants to draft the claims to clearly and accurately recite so as to commensurate with the intended scope of the invention.

Specification

3. The disclosure is objected to because of the following informalities: Pg. 2 lines 1 recites "RX+" in line 6. "RX+" should be changed to "TX+."

Appropriate correction is required.

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4. The abstract of the disclosure is objected to because of grammatical errors such as lines 12 - 13. Correction is required. See MPEP § 608.01(b).

5. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. **Claims 1 – 2 and 7 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda (US 5,646,377) in view of Lee et al. (Hereinafter “Lee” US 6,476,799 B1).**

Re claim 1, Oda teaches a wireless and passive tableting apparatus (Fig. 1 “Point detecting device”) for computer inputting (100 “host computer” Fig. 1) comprising a tablet (10 “sensor panel/tablet” Fig. 1) and a pen (30 “pointing device” Fig. 1), characterized in that nothing wires the pen (See Fig. 1) and the tablet and no battery is in the pen (See Fig. 1. The pen does not comprise a battery.), the tablet which can sense pressure from the pen (Col. 7, lines 20 – 23; “The pointing device is a pen which is constituted to vary the capacitance of the resonant circuit when the pen is pressed onto the panel/tablet.”) comprises a transmitting circuit (24 “transmitting unit/circuit” Fig. 1), a receiving circuit (25 “receiving unit/circuit” Fig. 1), an amplifying circuit (A “amplifier” Fig. 10), a phase angle and amplitude detecting circuit (Col. 17, lines 31 – 35; “The signal detecting unit processes and operates the amplitude and phase angle of

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the received signal.”) and an integrating circuit (Col. 25, lines 63 – 67; “a signal processing circuit generates the real number part of the aimed frequency component of the received signals by integration.” The integration circuit is within the signal processing circuit.); and the pen comprises a paralleled resonant circuit composed of capacitors and inductors (Col. 17, lines 15 – 17; “The pointing device includes a coil/inductor, capacitor and a switch. The coil and capacitor constitute a resonant circuit.” See Fig. 1. The coil and capacitor are in parallel.); the connection relations between them are as follows: an auxiliary CPU (100 “computer” fig. 1), which generates a square wave, connects with the transmitting circuit, which can transmit electromagnetic wave continuously; the pen circuit receives the electromagnetic wave transmitted from the transmitting circuit to produce a resonant signal; the resonant signal is transmitted to the receiving circuit continuously (Col. 18, line 64 – Col 19, line 5; “provide a constant received signal. A transmitter transmits a signal to the pointing device/resonant circuit and a receiver arranged at the opposite end of receives the signal generated by the pointing device and the transmitter.), and amplified by an amplifying circuit that connects with the receiving circuit; the amplified signals is inputted into the phase angle and amplitude detecting circuit (See Fig. 20(b). Col. 25, lines 43 – 50; “the add operation is performed in a preamplifier which is a signal input section of the signal detecting unit. The added signals are properly amplified an then output to the succeeding phase detector.”), and the signals output from the phase angle and amplitude detecting circuit are inputted into a primary CPU via the integrating circuit

(Fig. 21 shows an integrating circuit which is included in the processor 80 sends the signal to the computer 100).

But does not expressly teach a transmitting circuit comprising a plurality of coils in a first direction and a receiving circuit comprising a plurality of coils in a second direction which is perpendicular to the first direction, continuously generated square wave and the frequency of the resonant signal is an integer multiple of the frequency of the transmitted electromagnetic waves and the transmission of the electromagnetic waves and the receiving of the resonant signal occur simultaneously.

However, Lee teaches an apparatus for the wireless capture of coordinate-shift information wherein a continuous square waves are provided by the pulse generator to detect the coordinate location of a wireless pen (Lee: Fig. 6) and a plurality of coils in a first direction and a receiving circuit comprising a plurality of coils in a second direction which is perpendicular to the first direction (Lee: See Fig. 1. Col. 3, lines 51 – 55; "a working area that is made up of crossing parallel X-axis signal lines and parallel Y-axis signal lines that form a grid with a plurality of points, with each point formed by an intersecting X-axis signal line and Y-axis signal line.") and wherein the frequency of the resonant signal is a multiple 1 of the frequency of the transmitted electromagnetic waves and the transmission of the electromagnetic waves and the receiving of the resonant signal occur simultaneously (Lee: See Fig. 6).

Therefore, taking the idea of Oda and Lee, as a whole, it would have been obvious to a person having ordinary skill in the art to incorporate the idea of using the continuous pulse signals and a plurality of coils in a first and second direction which is

perpendicular and the frequency of the resonant signal and the transmitted electromagnetic waves being multiple of 1 which occur simultaneous as taught by Lee into the wireless apparatus of Oda to obtain a wireless and passive tableting apparatus wherein a plurality of coils in a first and second directions are perpendicular to each other and a square transmission waves and resonant signal waves are a multiple 1 of each other simultaneously and continuously to generated to detect and update the position of the wireless pen continuously without any intervals (Lee: Col. 1, lines 57 - 65.).

Re claim 2, the modified teachings of Oda teach the wireless and passive tableting apparatus of claim 1.

But does not expressly disclose the circuit arrangement of claim 2.

However, Lee teaches a transmitting circuit and receiving circuit comprising coils in a first direction, coils in a second direction and chips (Lee: See Fig. 3); terminals of the receiving circuit are connected to pins corresponding to ports of each of a set of chips for a first subset of chips (Lee: Fig. 3, U1 and U2), said chips have ports corresponding to pins connecting with the coils in the first direction respectively (Lee: Fig. 3, x0 - 7 of U1 and U2), the coils have output terminals which are grounded (Lee: See Fig. 3), said chips have terminals (Lee: Fig. 3, terminals A, B and C of U1 and U2) corresponding to pins used for chip selection, said chips have terminals corresponding to pins which are gating terminals, all connecting with the primary CPU, and each of

said chips has a terminal corresponding to a pin connected to a negative voltage (Lee: See Fig. 3 for the detailed layout.);

the square wave generated by the auxiliary CPU is inputted into a pin corresponding to a port of each of a second subset of chips via terminals of the transmitting circuit (See the line connected to port X of each chip); and

for the second subset of chips, said chips have ports corresponding to pins connecting with the coils in the first direction respectively, the coils have output terminals which are grounded, said chips have terminals corresponding to pins used for chip selection (See the configuration of U3 and U4 in fig. 3.),

said chips have terminals corresponding to pins which are gating terminals, all connecting with the primary CPU, and each of said chips has a terminal corresponding to a pin connected to a negative voltage (See Fig. 3 for the detailed layout.).

Therefore, taking the combined teachings of Lee and Oda, as a whole, it would have been obvious to a person having ordinary skill in the art to incorporate the idea of using the circuit layout as taught by Lee into the apparatus of Oda to obtain a wireless and passive tableting apparatus having the circuit arrangement as described above which includes a plurality of multiplexers for scanning the movement of the wireless pen.

Re claim 7, the modified teachings of Oda teach the wireless and passive tableting apparatus of claim 1.

But does not expressly disclose the connection relations of the parallel resonant circuit in the pen circuit.

However, Lee teaches the connection relations of the parallel resonant circuit in the pen circuit wherein an inductor connects directly with a variable capacitor and a plurality of capacitors in parallel (Lee: See Fig. 5; C1, C2, C3 and C4 are in parallel with L1);

the plurality of capacitors connect directly in parallel with a series combination of a switch and a resistor (Lee: See Fig. 5; the capacitors are connected in parallel with a resistor R1 and SW3), wherein one end of the switch and one end of the resistor are directly connected and the other end of the switch connects with the other end of the resistor to form a loop (Lee: See Fig. 5).

Therefore, taking the combined teachings of Oda and Lee, as a whole, it would have been obvious to a person having ordinary skill in the art to incorporate the idea of having a pen with the configuration as taught by Lee into the wireless and passive tableting apparatus as taught by Oda to obtain a wireless and passive tableting apparatus wherein a pen comprises a resonant circuit and a resistor and a switch connected in such a way to allow the user to utilize a push-button circuit make selections in a tableting apparatus.

Re claim 8, Lee teaches a switch of the pen which is a switch on the pen, functioning as the right button of a mouse (Col. 7, lines 20 - 25; "The second push-button circuit 230 includes a plurality of switches SW1, SW2 and SW3, each of which

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can be a push-button. and operate in a similar manner as the first push-button circuit 130 above (130 is the push-button for a mouse. Therefore, one of the buttons will inherently include the right button.).

Allowable Subject Matter

1. Claims 3 - 6 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YONG SIM whose telephone number is (571)270-1189. The examiner can normally be reached on Monday - Friday (Alternate Fridays off) 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YONG SIM/
Examiner, Art Unit 2629

/AMR AWAD/
Supervisory Patent Examiner, Art Unit 2629

8/8/2008